

Chand Vs. Tamar Dhawaj & Anr.

RSA No. 492/2009

26.07.2023 Present: Mr. Romesh Verma, Sr. Advocate with Ms. Shruti, Advocate, for the appellant.

Mr. Lalit K. Sharma, Advocate, for respondent No.2(a).

CMP(M) No.36/2023

Application has been moved to bring on record the legal heirs of deceased-respondent No.2-Sh. Satu @ Om Chand, who is stated to have died on 27.05.2012. Death certificate has been placed on record as Annexure A-1. The factum of death of deceased-respondent No.2 was disclosed on 22.12.2022 by learned counsel for respondents No.1 and 2. Proposed legal heir Sh. Sunil Kumar stands served and is being represented by Dr. Lalit K. Sharma, learned counsel. There is no opposition to the application on behalf of the non-applicant/respondent. Death has taken place during the pendency of the appeal.

For the aforesaid reasons, delay in moving the application to bring on record the legal heirs of deceased-respondent No.2 is condoned. Accordingly, the application is allowed. Sh. Sunil Kumar, legal heir of deceased-respondent No.2, is ordered to be brought on record as respondent No.2(a). Amended memo of parties be filed within two weeks. Registry to carry out necessary correction in the cause title. Application to stand disposed of.

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Learned counsel for the appellant submits that the consequential steps for bringing on record the legal heirs of respondent No.1, will be taken within two weeks.

List on 18.08.2023.

Jyotsna Rewal Dua
Judge

26th July, 2023
(rohit)